S. B. C. W. P. NO.3177/2004
(Surjeet Singh Dhillon Vs. Rent Control Tribunal, Bikaner & Ors.)

DATE OF ORDER : 02.08.2004

HON'BLE SHRI N.P.GUPTA,J.

Mr.K.R.Choudhary for the petitioner.

Heard learned counsel for the petitioner.

By the impugned order, the learned trial Court has dismissed the petitioner's application for appointment of Commissioner for site inspection on the ground that it is not open to the petitioner to have appointed a Commissioner for the purpose of collecting evidence. I do not find any infirmity in the impugned order requiring interference in my writ jurisdiction.

The writ petition is, therefore, dismissed summarily. However, it is made clear that in case the petitioner so stands advised, and necessity so arises, it will be open to the petitioner to challenge the correctness, legality, or propriety of the impugned order by setting forth appropriate ground in appeal.

(N.P.GUPTA),J.

tarun